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*Counsel for Tad Schlatre*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TAD SCHLATRE, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

v.

MARATHON DIGITAL HOLDINGS, INC.  
f/k/a MARATHON PATENT GROUP, INC.,  
MERRICK D. OKAMOTO, FREDERICK G.  
THIEL, and SIMEON SALZMAN,

Defendants.

No.: 2:21-cv-02209-RFB-NJK

**NOTICE OF NON-OPPOSITION  
OF TAD SCHLATRE TO  
COMPETING MOTIONS  
FOR APPOINTMENT AS LEAD  
PLAINTIFF AND APPROVAL  
OF COUNSEL**

1 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

2 On February 15, 2022, Tad Schlatre (“Schlatre”), by and through his counsel, filed a  
3 motion, pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. §  
4 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995 (the  
5 “PSLRA”), for an order: (i) appointing Schlatre as Lead Plaintiff on behalf of a class consisting of  
6 all persons and entities other than the above-captioned defendants that purchased or otherwise  
7 acquired Marathon Digital Holdings, Inc. f/k/a Marathon Patent Group, Inc. securities between  
8 October 13, 2020 and November 15, 2021, both dates inclusive (the “Class”); and (ii) approving  
9 of Schlatre’s selection of Pomerantz LLP as Lead Counsel and Muehlbauer Law Office, Ltd. as  
10 Liaison Counsel for the Class. Dkt. No. 13.

13 Having reviewed the competing motions before the Court, it appears that Schlatre does not  
14 have the “largest financial interest” in this litigation within the meaning of the PSLRA. This notice  
15 of non-opposition shall have no impact on Schlatre’s membership in the proposed Class or his  
16 right to share in any recovery obtained for the benefit of Class members.

17 Dated: March 1, 2022

19 **MUEHLBAUER LAW OFFICE, LTD.**

20 /s/ Andrew R. Muehlbauer

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NOTICE OF NON-OPPOSITION

**CERTIFICATE OF SERVICE**

I hereby certify that on March 1, 2022, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Andrew R. Muehlbauer  
Andrew Muehlbauer

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